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OFFICE OF PETITIONS

In re Application of
Bing-Chang Wu
Application No. 09/624,321
Filed: July 24, 2000
Attorney Docket No. 8693-000221

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed March 17, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Restriction Requirement mailed September 25, 2001, which set a shortened statutory period for reply of thirty (30) days. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on October 26, 2001.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the extension of time submitted with the petition on March 17, 2003, was subsequent to the maximum extendable period for reply no fee will be charged to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to Cheryl Gibson-Baylor at (703)308-5111, or in her absence, Sherry D. Brinkley at (703)305-9220.

The application file is being forwarded to Technology Center 2800, Art Unit 2825.

Cheryl Gibson-Baylor
Petitions Examiner
Office of Petitions
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Sherry D. Brinkley
Petitions Examiner